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May 2, 2022

**VIA ECF**

Hon. Vernon S. Broderick  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

APPLICATION GRANTED  
SO ORDERED   
VERNON S. BRODERICK  
U.S.D.J. 05/03/22

**Re: *American GreenFuels Rockwood (Tennessee), LLC v. Aik Chuan Construction PTE, Ltd. (Case No. 1:21-cv-07680-VSB)***

Dear Judge Broderick:

Plaintiff/Counterclaim Defendant American GreenFuels Rockwood (Tennessee), LLC ("AGFR") and Counterclaim Defendant Kolmar Americas, Inc. ("Kolmar") write this letter in accordance with Your Honor's Order dated April 25, 2022 (ECF Doc. 29) to request the Court to deem AGFR's and Kolmar's existing motions to dismiss the counterclaims (ECF Docs. 20-24) as moot, and permit AGFR and Kolmar to file new motions to dismiss in accordance with Federal Rule of Civil Procedure 15(a)(3). While Aik Chuan Construction PTE, Ltd.'s ("Aik Chuan") amendments add little of substance, AGFR and Kolmar will be amending their previously filed motions to the extent necessary to address certain of the new/rephrased allegations in the amended counterclaims. AGFR and Kolmar respectfully request they have until May 13, 2022, to respond to the amended counterclaims.

We further write to renew AGFR's prior request for leave to file a 35-page memorandum of law (*see* ECF Doc. 18), which your Honor granted (*see* ECF Doc. 19), for reasons and good cause previously identified and because of the need to address Aik Chuan's new (and equally defective) allegations.

Accordingly, we respectfully request that the Court enter an Order granting: (1) AGFR's and Kolmar's request to file on and including May 13, 2022, new motions to dismiss in response to Aik Chuan's amended counterclaims; and (2) AGFR's request for leave to file an oversized brief.

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Respectfully submitted,

A handwritten signature in blue ink that reads "Jack Thomas". The signature is written in a cursive style with a long, sweeping underline.

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Jack Thomas

cc: Counsel of record (via ECF)